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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RONDEL DELBERT GARDNER,)	Case No.: 1:20-cv-00240-SAB (PC)
)	
Plaintiff,)	
)	
v.)	ORDER DENYING PLAINTIFF’S MOTION
)	TO PROCEED WITH TRIAL AND/OR
)	SETTLEMENT CONFERENCE
GAVIN NEWSOM, et.al.,)	
)	(ECF No. 32)
)	
Defendants.)	
)	

Plaintiff Rondel Delbert Gardner is appearing *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion to proceed with trial and/or settlement conference, filed April 10, 2020. (ECF No. 32).

On March 17, 2020, the Court appointed Plaintiff counsel for the limited purpose of filing a third amended complaint. (ECF No. 31.) The third amended complaint is due on or before May 18, 2020. (Id.) Thus, there is no operative complaint on file that states a cognizable claim for relief.

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1 Plaintiff is advised that the Court will set a settlement conference if the action proceeds past
2 screening and Defendants have appeared in the action. In addition, the case cannot and will not be set
3 for trial unless and until the case proceeds past summary judgment. Accordingly, Plaintiff's motion
4 for trial and/or settlement conference is DENIED as premature.

5
6 IT IS SO ORDERED.

7 Dated: April 13, 2020

A handwritten signature in blue ink, appearing to read "James A. Be...", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE